

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
at CHATTANOOGA

CINCINNATI INSURANCE COMPANIES,)	
)	
Plaintiff,)	
)	No. 1:05-CV-7
v.)	
)	Judge Curtis L. Collier
)	
TENNESSEE LOG HOMES, INC and)	
DENNIS AND LAURIE SMITH,)	
)	
Defendants.)	
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TENNESSEE LOG HOMES, INC,)	
)	
Counter-Plaintiff,)	
)	
v.)	
)	
CINCINNATI INSURANCE COMPANIES,)	
)	
Counter-Defendant.)	
)	

ORDER

On September 30, 2005 this Court entered an order dismissing this case on abstention grounds based on similar proceedings pending in a Wisconsin state court (Court File No. 39).

However, five days later, The Wisconsin state court entered an order which states in part:

Cincinnati Insurance Company's motion for summary judgment seeking an order from the court declaring that it has no indemnification obligations in this action is deferred to the federal court action pending in Tennessee.

(Court File No. 43, Exh. 1). As a result, Cincinnati Insurance Companies filed a Rule 60(b)(6) motion seeking to reopen this case (Court File Nos. 40, 42). Tennessee Log Homes, Inc appears to agree Cincinnati Insurance Companies' motion should be granted and the case should be reopened

(Court File No. 45). Since the parties are in agreement, the Court hereby **GRANTS** Cincinnati Insurance Companies' motion (Court File Nos. 40, 42) and **ORDERS** the **CLERK** to **REOPEN** this case.

Before the Court dismissed this case on abstention grounds, Cincinnati Insurance Companies had filed a motion for summary judgment (Court File No. 27) but Tennessee Log Homes, Inc. had not yet responded. The parties now jointly request the Court to allow Tennessee Log Homes a period of thirty days to respond to this summary judgment motion (Court File No. 45, p. 2). This request is hereby **GRANTED**. Tennessee Log Homes has **THIRTY DAYS** from entry of this order to respond to Cincinnati Insurance Companies' motion for summary judgment.

SO ORDERED.

ENTER:

/s/
CURTIS L. COLLIER
CHIEF UNITED STATES DISTRICT JUDGE